

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,

Plaintiff,

v.

GROUPON, INC.,

Defendant.

Civil Action No. 16-122-LPS-CJB



IBM'S PROPOSED JUDGMENT FOLLOWING JURY VERDICT

This action came before the Court for a trial by jury beginning on July 16, 2018. The issues have been tried and the jury rendered a verdict on July 27, 2018. The verdict was accompanied by the verdict form (D.I. 389 and 390), a copy of which is attached hereto. The verdict form (D.I. 389) was signed by the foreperson and all jurors as a unanimous verdict, and the verdict was accepted by the Court and filed by the Clerk.

Therefore,

IT IS HEREBY ORDERED AND ADJUDGED that judgment be entered in favor of Plaintiff International Business Machines Corporation ("IBM") and against defendant Groupon, Inc. ("Groupon") on all claims of infringement, willful infringement, validity, and damages with respect to claims 1 and 2 of U.S. Patent No. 5,796,967 (the "'967 patent"), claims 1 and 8 of U.S. Patent No. 7,072,849 (the "'849 patent"); and claims 51 and 54 of U.S. Patent No. 5,961,601 (the "'601 patent") and on all claims of infringement, willful infringement, validity, implied license, exhaustion, and damages with respect to claims 1 and 5 of U.S. Patent No. 7,631,346 (the "'346 patent").

IT IS HEREBY ORDERED AND ADJUDGED that judgment be entered in favor of IBM and against Groupon for damages in the amount of \$82,500,000 for Groupon's infringement of the '967, '849, '601, and '346 patents.

IT IS HEREBY ORDERED AND ADJUDGED that this Judgment shall have the effect of denying as moot all motions made by the parties pursuant to Federal Rule of Civil Procedure 50(a).

Dated: August 8, 2018



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Leonard P. Stark, Chief Judge